



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/098,667

03/15/2002

Alex Mashinsky

5068-15

5716

27799

7590

04/30/2008

COHEN, PONTANI, LIEBERMAN & PAVANE
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

04/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/098,667	Applicant(s) MASHINSKY ET AL.	
	Examiner RASHA S. AL AUBAIDI	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 6 and 21-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-6 and 21-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This in response to amendment filed 02/04/2008. No claims have been added. No claims have been canceled. Claims 1, 3 and 27-30 have been amended. Claims 1-3, 5, 6 and 21-34 are now pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolduc et al. (US Pat # 6,404,877) in view of Yamamoto et al. (US PAT # 6,282,563).

Regarding claim 1, referring to figures 1-3, Bolduc teaches a method, comprising: receiving at a processor (e.g., service node 190) a telephone call from an originating party (reads on caller 100) (see figs 1-3; col. 2, line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50), the telephone call including routing information (e.g., caller's request for a product of interest, such as bicycling catalog, see col. 5, lines 38-40) for routing the telephone call to a called terminating party (this basically reads on the caller

Art Unit: 2614

either saying or entering a DTMF command to confirm his he/she want the bicycling catalog, see col. 5, lines 42-47), upon receipt of the telephone call (see 4, lines 62-67), routing the telephone call by the processor to the called terminating party (e.g., Mountain Bikes of Denver, Colo.) based on a query (see figs 1-3; col. 2. line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50); determining at the processor targeted marketing material based on the identity of the called terminating party (see figs 1-3; col. 2. line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50); determining at the processor targeted marketing material (e.g., caller's request for a product of interest, such as bicycling catalog, see col. 5, lines 38-40) based on the identity of the terminating party (see figs 1-3; col. 2. line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50); and providing the targeted marketing material from the processor to the originating party (see figs 1-3; col. 2. line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50).

Bolduc does not specifically teach "a directory database that stores information associating contact information with the identity of the called terminating party". Also, Bolduc does not specifically "the routing information includes one of a telephone number and IP address".

However, Yamamoto specifically teaches that information and identifiers regarding specific agent(s) can be stored in a storage server (21). A user can select a specific agent and from the user selection the specified agent will be determined by

Art Unit: 2614

recognizing the agent identifier and information his/her stored in the storage server 21 (see col. 15, lines 28-40).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of having a database that stores information (such as agent identifier or other information) associated with a specific agent into the Bolduc service and apparatus, in order to enhance the system effacing by choosing the desired agent. Plus this will add more speed and convenience to the users/callers. Also, the claimed feature of “the routing information includes one of a telephone number and IP address” is obvious and well known in the art. One of an ordinary skill can choose the routing information to be either IP address, phone number, name, prefix...etc, based on the need and desire.

Regarding claim 2, Bolduc teaches the telephone call is a toll free call (see col. 4, lines 62-63).

Claim 3 is rejected for the same reasons as discussed above with respect to claim 1.

As to claims 5-6 and 21-24, Bolduc teaches the invention substantially as claimed as described in figs 1-3; col. 2, line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50.

4. Claims 25-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolduc in view Yamamoto and further in view of Baker.

Regarding claim 25, the combination of Bolduc in view of Yamamoto does not specifically teach the use of a VOIP transaction received from the originating party as recited in claim 25.

However, Baker teach in a cal center 210 that is configured to include information assistance service provider 230 (as shown in Fig. 3), a voice information maybe packetized and transmitted to a VOIP through the Internet (see col. 6, lines 11-28).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of receiving VOIP transactions from a caller/originating party, as taught by Baker, into the combination of Bolduc in view of Yamamoto system in order to expand the caller's options and provide flexibility. At end this will enhance the system and provide a better and wider service to customers/callers. The claimed feature of "identifying cookies or web site favorites as forming ...etc" is obvious and well known in the art.

Claims 26-34 are rejected for the same reasons as discussed above with respect to claims 1-3, 5-6 and 21-25, respectively.

Response to Arguments

5. Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues that “neither of these references, either singly or in combination, discloses or teaches the step of receiving ‘a telephone call from an originating party, the telephone call including routing information for routing the telephone call to a called terminating party, wherein the routing information includes one of a telephone number or an IP address...etc’”. The Examiner respectfully disagrees because as clearly addressed in the above rejection, Bolduc teaches receiving at a processor (e.g., service node 190) a telephone call from an originating party (reads on caller 100) (see figs 1-3; col. 2, line 36-col. 3, line 7; and col. 5, line 21-col. 6, line 50). Bolduc also teaches that the telephone call including routing information (this reads on caller's request for a product of interest, such as bicycling catalog, see col. 5, lines 38-40) for routing the telephone call to a called terminating party (this basically reads on the caller either saying or entering a DTMF command to confirm his he/she want the bicycling catalog, see col. 5, lines 42-47). As already addressed in the above rejection the claimed feature of “the routing information includes one of a telephone number and IP address” is obvious and well known in the art. One of an ordinary skill can choose the routing information to be any type of information such as IP address, phone number, name, prefix...etc, based on the need and desire and method of storing and retrieving the needed information.

Applicant argues that the “service center of Bolduc is the called terminating party as the caller dials the designated toll free number”. The examiner respectfully disagrees, because the Examiner considers the 1-800-FIND-4-ME is an intermediary/third entity and not the terminating party. The terminating party is the last destination number or address that the toll free number will provide to the caller who is seeking it.

The Examiner believes that all other arguments are already addressed in the above rejection.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2614

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rasha S AL-Aubaidi/

Primary Examiner, Art Unit 2614